

Message

From: Jones, Russell [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4795FDC630C34BE4AED0C6416A20D606-RUSSELL JONES]
Sent: 3/29/2019 6:24:27 PM
To: Kausch, Jeannine [Kausch.Jeannine@epa.gov]; Shapiro, Naomi [Shapiro.Naomi@epa.gov]
CC: Pane, Vickie [Pane.Vickie@epa.gov]; Spielmann, Lee [Spielmann.Lee@epa.gov]; Brannick, Michael [brannick.michael@epa.gov]
Subject: RE: Draft Plant Biostimulants- Docket Corrected- Closes 5/28/19

I am in agreement with what Jeannine stated below

Russell S. Jones, Ph.D., Senior Scientist
Chair, Biochemical Classification Committee
Risk Assessment Branch
Biopesticides & Pollution Prevention Division
Office of Pesticide Programs
US Environmental Protection Agency

P: 703-308-5071; F: 703-308-7026
jones.russell@epa.gov

Office Location:
One Potomac Yard
2777 South Crystal Drive Arlington, VA 22202

Mailing Address:
1200 Pennsylvania Avenue, NW
Washington, DC 20460-0001
<http://www.epa.gov/pesticides>



From: Kausch, Jeannine
Sent: Thursday, March 28, 2019 3:18 PM
To: Shapiro, Naomi <Shapiro.Naomi@epa.gov>; Jones, Russell <Jones.Russell@epa.gov>
Cc: Pane, Vickie <Pane.Vickie@epa.gov>; Spielmann, Lee <Spielmann.Lee@epa.gov>; Brannick, Michael <brannick.michael@epa.gov>
Subject: RE: Draft Plant Biostimulants- Docket Corrected- Closes 5/28/19

Hi Naomi,

I don't think so. In doing ECRs for potential plant regulators, I've consulted with Russ quite a bit and have been aware of the guidance. Since the guidance, from what I understand, mostly focuses on claims, I've tried to focus on claims that are obvious pesticidal claims and not those that could potentially be open to dispute. The Growth Product's case is not an exception; here are some claims that I thought were clearly pesticidal (from one of the ECRs): "SiTKO SA contains Salicylic Acid, a natural plant hormone, which produces a broad spectrum of resistance when a plant is exposed to fungi, bacteria and viruses" and "Green-Speed Si contains Potassium Phosphite which . . . increases the turf's resistance to disease and pests".

Another thing to consider is that determining intent is not all about the claims. Sometimes there are substances in products that have no significant commercially valuable use other than pesticidal (40 CFR § 152.15(b)), such as products that contain seaweed extract. That is, even if no pesticidal claims are made in association with the product, we can consider the product to be a pesticide based on its composition.

Russ . . . Please correct me if I misstated anything above or missed anything critical from the guidance. You are definitely the most familiar with the guidance, since you wrote it!

We can also talk about this some more during the pre-meeting and hopefully address any potential concerns.

Thanks,
Jeannine



Jeannine Kausch
U.S. EPA Office of Pesticide Programs
1200 Pennsylvania Avenue NW (7511P)
Washington, DC 20460-0001
703.347-8920
kausch.jeannine@epa.gov

From: Shapiro, Naomi
Sent: Thursday, March 28, 2019 2:31 PM
To: Kausch, Jeannine <Kausch.Jeannine@epa.gov>; Jones, Russell <Jones.Russell@epa.gov>
Cc: Pane, Vickie <Pane.Vickie@epa.gov>; Spielmann, Lee <Spielmann.Lee@epa.gov>; Brannick, Michael <brannick.michael@epa.gov>
Subject: FW: Draft Plant Biostimulants- Docket Corrected- Closes 5/28/19

Will anything contained in this proposed guidance document affect our position regarding any of the Growth Products products?

From: Hopkins, Yvette
Sent: Thursday, March 28, 2019 12:36 PM
To: Amy Sullivan <aapco.sfireg@gmail.com>; fcorey@micmac-nsn.gov
Cc: FIFRA Regional Contacts <FIFRA_Regional_Contacts@epa.gov>; FIFRA Regional Supervisors <FIFRA_Regional_Supervisors@epa.gov>; Overbey, Dian <Overbey.Dian@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>
Subject: FW: Draft Plant Biostimulants- Docket Corrected- Closes 5/28/19

Fred and Amy,
The Plant Biostimulants docket is now in good order. I have appended the guidance document to this email as well.
Please note, the docket closes on May 28, 2019.

Yvette S. Hopkins
State Liaison
Field and External Affairs Division
Office of Pesticide Programs, US EPA

Whether we and our politicians know it or not, Nature is party to all our deals and decisions, and she has more votes, a longer memory, and a sterner sense of justice than we do. Wendell Berry

From: Overbey, Dian
Sent: Thursday, March 28, 2019 12:17 PM
To: Hopkins, Yvette <Hopkins.Yvette@epa.gov>
Cc: Han, Kaythi <Han.Kaythi@epa.gov>
Subject: Plant Biostimulants

We are not sending out the OPP Update again, but it has been revised online to reflect the publication of the FRN and to link to the docket. People can now comment.

You can send the link to the revised OPP Update to folks: <https://www.epa.gov/pesticides/epa-releases-public-comment-draft-guidance-plant-regulators-including-plant-biostimulants>.

Dian D. Overbey
Communication Services Branch
Field and External Affairs Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
Potomac Yard S-8927
(703) 305-5018 (O)
(571) 302-0764 (OC)